

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

<b>IN RE:</b>	:	
<b>THOMAS J. DABALDO,</b>	:	<b>BK. No. 08-20024-TPA</b>
<b>Debtor,</b>	:	
<hr style="width: 40%; margin-left: 0;"/>	:	<b>Chapter No. 13</b>
<b>THOMAS J. DABALDO,</b>	:	
	:	<b>Hearing Date: 9/13/17</b>
<b>Movant,</b>	:	
<b>v.</b>	:	<b>Hearing Time: 9:30 a.m.</b>
	:	
<b>OCWEN LOAN SERVICING INC.,</b>	:	<b>Doc. No. 81</b>
	:	
<b>Respondent.</b>	:	
	:	

**RESPONSE OF OCWEN LOAN SERVICING, LLC**  
**TO THE MOTION TO HAVE MORTGAGE DEEMED SATISFIED OR IN THE**  
**ALTERNATIVE, FOR AN ACCOUNTING**

Ocwen Loan Servicing LLC, (hereinafter “Ocwen”), by and through its attorneys, Phelan Hallinan Diamond & Jones, LLP, hereby responds to the Debtor’s Motion to Have Mortgage Deemed Satisfied or in the Alternative, for an Accounting, and in support thereof, avers as follows:

1-8. Admitted.

9. After reasonable investigation, Ocwen is without knowledge sufficient to form a belief as to the truth or falsity of the allegations set forth in paragraph nine (9) of the Motion and they are therefore denied.

10. After reasonable investigation, Ocwen is without knowledge sufficient to form a belief as to the truth or falsity of the allegations set forth in paragraph ten (10) of the Motion and they are therefore denied.

11. After reasonable investigation, Ocwen is without knowledge sufficient to form a belief as to the truth or falsity of the allegations set forth in paragraph eleven (11) of the Motion and they are therefore denied.

12. The allegations set forth in paragraph twelve (12) of the Motion are conclusions of law to which no response is necessary and are therefore denied.

13-14. After reasonable investigation, Ocwen is without knowledge sufficient to form a belief as to the truth or falsity of the allegations set forth in paragraphs thirteen and fourteen (13-14) of the Motion and they are therefore denied. By way of further response, Homecomings Financial, LLC filed two proofs of claim in this case at claim number 1-1 and claim number 4-1. The Motion does not identify the mortgage by mortgage book volume and page and Ocwen is not able to verify the instrument number set forth in the proposed Order of Court. Ocwen requires additional information from the Debtor before it can verify the information set forth in the Motion.

**WHEREFORE**, Ocwen Loan Servicing LLC, respectfully requests that this Honorable Court deny the Debtor's Motion to Have Mortgage Deemed Satisfied or in the Alternative, for an Accounting.

PHELAN HALLINAN  
DIAMOND & JONES, LLP

Date: September 5, 2017

/s/ James A. Prostko, Esquire  
James A. Prostko, Esquire  
PA ID No. 27221  
Phelan Hallinan Diamond & Jones, LLP  
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<b>Respondent.</b>	:
	:

**CERTIFICATE OF SERVICE**

I certify under penalty of perjury that on September 5, 2017, I served or caused to be served Ocwen Loan Servicing LLC's Response to the Motion to Have Mortgage Deemed Satisfied or in the Alternative, for an Accounting on the parties at the addresses shown below. The types of service made on the parties were: Electronic Notification and First Class Mail.

**Service by Electronic Notification**

**Sharon M. Menchyk**  
Blumling & Gusky  
436 7th Avenue  
1200 Koppers Building  
Pittsburgh, PA 15219  
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RONDA J. WINNECOUR, TRUSTEE  
SUITE 3250, USX TOWER  
600 GRANT STREET  
PITTSBURGH, PA 15219  
[CMECF@CHAPTER13TRUSTEEWDPA.COM](mailto:CMECF@CHAPTER13TRUSTEEWDPA.COM)

**Service by First Class Mail**

**Thomas J. DaBaldo**  
393 Tara Drive  
Pittsburgh, Pa 15236

PHELAN HALLINAN  
DIAMOND & JONES, LLP

Date: September 5, 2017

/s/ James A. Prostko, Esquire

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